



# PUBLIC NOTICE

Federal Communications Commission  
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DA 05-3163  
December 8, 2005

**PLEADING CYCLE ESTABLISHED FOR COMMENTS ON QWEST'S  
PETITION FOR FORBEARANCE FROM ENFORCEMENT  
OF THE COMMISSION'S DOMINANT CARRIER RULES  
AS THEY APPLY AFTER SECTION 272 SUNSETS**

**WC Docket No. 05-333**

**Comments Due: January 23, 2006**  
**Reply Comments Due: February 22, 2006**

On November 22, 2005, Qwest Communications International Inc., on behalf of its affiliates Qwest Communications Corporation, Qwest LD Corporation, and Qwest Corporation, (collectively, Qwest) filed a petition for forbearance pursuant to section 10 of the Communications Act of 1934, as amended.<sup>1</sup> Qwest requests that the Commission forbear from applying its dominant carrier rules to Qwest's provision, on an integrated basis, of in-region, interstate, interLATA interexchange services after section 272 of the Communications of 1934, as amended, sunsets in Qwest's region.<sup>2</sup> In its petition, Qwest indicates that it has been providing these services through section 272 separate affiliates that are classified as nondominant carriers under the Commission's rules. Qwest states that after December 12, 2006, it will be able to provide in-region, interLATA telecommunications services on an integrated basis, but will be subject to dominant carrier regulation in its provision of those services to the extent they are interstate. Qwest requests that the Commission forbear from enforcing its part 61 tariffing and price cap requirements and any other of the Commission's dominant carrier rules as they might be applied to Qwest's provision, on an integrated basis, of in-region, interstate domestic interexchange services or international interexchange services after December 12, 2006.

This Public Notice establishes certain procedural requirements relating to consideration of Qwest's petition. This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. See 47 C.F.R. §§ 1.1200, 1.1206. Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the

<sup>1</sup> 47 U.S.C. § 160. On November 30, 2005, Qwest filed a corrected version of this petition. See Petition of Qwest Communications International Inc. for Forbearance from Enforcement of the Commission's Dominant Carrier Rules As They Apply After Section 272 Sunset Pursuant To 47 U.S.C. § 160 (filed Nov. 30, 2005).

<sup>2</sup> 47 U.S.C. § 272. The section 272 safeguards, other than those in section 272(e), will sunset within Qwest's region on December 12, 2006, absent Commission action extending the period in which those safeguards remain in effect.

substance of the presentations and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented is generally required. *See* 47 C.F.R. § 1.1206(b). Other requirements pertaining to oral and written presentations are set forth in section 1.1206(b) of the Commission's rules, 47 C.F.R. § 1.1206(b).

Pursuant to sections 1.415 and 1.419 of the Commission's rules, 47 C.F.R. §§ 1.415, 1.419, interested parties may file comments on or before **January 23, 2006** and reply comments on or before **February 22, 2006**. All filings should refer to **WC Docket No. 05-333**. Comments may be filed using: (1) the Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies. *See* Electronic Filing of Documents in Rulemaking Proceedings, 63 FR 24121 (1998).

- **Electronic Filers:** Comments may be filed electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs/> or the Federal eRulemaking Portal: <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.
  - For ECFS filers, if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.
- **Paper Filers:** Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE, Suite 110, Washington, DC 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street, SW, Washington DC 20554.

All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554. Parties should also send a copy of their filings to Janice Myles, Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, Room 5-C140, 445 12th Street, SW, Washington, DC 20554, or by e-mail to [janice.myles@fcc.gov](mailto:janice.myles@fcc.gov). Parties must also serve one copy with the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC 20554, (202)488-5300, or via e-mail to [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com).

Documents in **WC Docket No. 05-333** are available for public inspection and copying during business hours at the FCC Reference Information Center, Portals II, 445 12th St. SW, Room CY-A257, Washington, DC 20554. The documents may also be purchased from BCPI, telephone (202)488-5300, facsimile (202)488-5563, TTY (202)488-5562, e-mail [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com). People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at (202)418-0530 (voice), (202)418- 0432 (TTY).

For further information regarding this proceeding, contact William Kehoe, Competition Policy Division, Wireline Competition Bureau, (202)418-1580.

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